

**County of San Diego, Health and Human Services Agency (HHSa)
CalWORKs Program Guide Letter**

CalWORKs Asset Exclusions

Number

364

Page

1 of 2

Issue Date:

09/28/2015

Effective Date:

Upon Receipt

Purpose:

To provide clarification on which retirement and education accounts are exempt in the CalWORKs program.

Background:

- CalWORKs regulations instruct to follow CalFresh rules when determining what **personal** property items should be excluded when evaluating property eligibility for CalWORKs, unless otherwise noted.
- CalWORKs regulations (MPP 42-213.2) list 401(k), 403(b), 457, 529, IRA and ESA accounts as excluded for CalWORKs **recipients**. But inadvertently, the regulations only list 401(k), 403(b), 457 as excluded for **applicants**.

Policy Change:

- To clarify, the exemptions listed at MPP 42-213.2 are meant to be in addition to all of the other property exemptions allowed under CalFresh rules. Because all of these accounts (i.e., 401(k), 403(b), 457, 529, IRA and ESA) are exempt for applicants and recipients in CalFresh, they are also exempt for both **applicants** and **recipients** in CalWORKs.
- Additionally, CalWORKs exempts accounts that CalFresh exempts for both applicants and recipients, including all of all tax-preferred education accounts (e.g., 529s) and retirement accounts (e.g., IRAs, 401(a), 403(a), 403(b), 408, 408(a), 457(b), and 501(c) (18) accounts).
- Reformatted section and removed obsolete and unnecessary information

Summary of Changes:

[CPG 42-200.1](#)

- Section updated to clarify the types of retirement savings and pension plans excluded from consideration as resources for both CalWORKs applicants and recipients.

Impacts:

Automation:

None.

Forms and Document Capture:

None.

Programs Affected:

None.

Quality Control:

County of San Diego, Health and Human Services Agency (HHSA)
CalWORKs Program Guide Letter

CalWORKs Asset Exclusions	Number	Page
	364	2 of 2

Quality Control will cite the appropriate error when the regulations cited in this program material have not been followed.

References:

- [WIC Section 11155](#)
- [EAS 42-213.2](#)
- [MPP 63-501.3](#)
- [ACIN I-28-09](#)
- [ACIN No. I-58-15](#)

Sunset Date:

This policy will be reviewed for continuance by September 30, 2018

Approval for Release:



Rick Wanne, Director
Eligibility Operations